

well off in the form of job creation. So people who live in these poor urban areas have to have some sort of transportation access to get to the jobs. It has worked in the past fairly well when from the urban neighborhoods outside the center of town—in many cases where the job centers were—people could hop on transportation, a bus, rail, whatever, and go into the downtown area for jobs. That had worked well in the tourism industry, hotel/motel, et cetera. A lot of those jobs are not particularly high skilled because a lot of the urban poor don't have a lot of job skills starting out.

The problem with the current economy is that, in many cities, Philadelphia being one of them, the job creation boom is not taking place in the inner city; it's taking place in suburban corridors. In the case of Philadelphia, it is taking place in what's called the Route 202 corridor. In fact, we are not an anomaly. Two-thirds of all new jobs are being created in the suburbs. So you have a very odd situation happening. You have the dramatic increase in jobs; in fact, there is very low unemployment in most areas of the country. But there is still chronically high unemployment in the inner cities and, as a result of the new job creation happening in the suburbs, no transportation link for people in the urban neighborhoods out to the suburbs. Now, they can get to maybe a train station in the suburbs, or a bus station, as the bus that went into town for the commute comes back out of town. But they can't get from that station to their job, which may be in an industrial park somewhere. So that creates a real problem for the suburban business because the suburban business—and I have talked to a lot of suburban manufacturers who tell me they cannot find workers to get to their job sites.

Yet, we have a great pool of workers in the inner city. So what Senator SPECTER and Senator MOSELEY-BRAUN and I have sponsored is an authorization of \$100 million to be used to encourage and develop reverse commutes. It's a very flexible program. It's a program that says the money is designated by the Secretary, and the Secretary can accept bids from a variety of different regional organizations. The transit organizations, different communities, a whole variety of entities can apply, which will create a tremendous amount of, I believe, and a very positive competition for these dollars and will require innovative plans to get people to the workplace. I believe if we are going to follow through with our commitment of requiring work—and we are reaching that time now with the bill—and stating that there is a 5-year time limit on benefits where people are going to exhaust that 5-year period of time and they are going to lose their cash benefit—and if there is no opportunity for a job in their own neighborhood or there is no opportunity for a job within transit distance, then we are, in a sense, locking these people into a desperate situation.

I don't think that was the intention of the U.S. Senate. It certainly wasn't my intention. So I believe that at least one of the keys to unlocking that situation is to create the opportunity to get out to the suburbs, to get out to where the job growth is occurring, and to provide a transportation network in the area of a reverse commute to do that.

I hope that we will get strong bipartisan support for this initiative. This is something that is essential if we are going to follow through. I speak specifically to the Members on this side of the aisle, many of whom are not big fans of mass transit. But mass transit is the lifeblood for millions of people who live in urban America. Millions of people could not go to work; they can't own cars; they don't have the money; they can't afford it in many of the neighborhoods because of insurance rates and everything else, not just the cost of the car. Mass transit is the only way for these people to get to work, and it is essential for us to provide the link. Particularly in the time that we are going to be forcing people off the welfare rolls, it is essential for us to provide the link for those people to get to the job site. We are doing the right thing with welfare reform. We have done the right thing. But now we need to follow up and make sure that those people who want to work, who have in many cases worked hard to get the skills to get into the job market, now have the access to take those jobs.

So I thank my colleagues, Senator SPECTER, Senator MOSELEY-BRAUN, and others who are supportive of this amendment. As I said, I hope that we can get very strong bipartisan support for this amendment to be added to the mass transit title. If we do not, then I think we are going to see a lot of big city mayors and a lot of activists descend upon Washington in a couple of years when that 5-year time limit is up, and they are going to say, "You are telling us to cut these people off and there are no jobs where they live, no jobs within commuting distance of where they live, and we can't do it." Welfare reform will have failed. We can't let the transportation issue be the reason for that failure. This money will create incentives for businesses and other people in the suburbs and the city to create a network that doesn't exist now. Once that network is created, then I think we can begin to see, and, in many cases, employers will begin to see, the profitability of having this network in place. I think this money will go a long, long way in inspiring and instituting these kinds of plans.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NOMINATION OF JAMES C. HORMEL

Mrs. FEINSTEIN. Mr. President, I rise today to bring to my colleagues' attention the nomination of James C. Hormel to be U.S. Ambassador to Luxembourg. As was the case with Dr. Satcher's nomination to be Surgeon General, his nomination has been on the shelf, held by a "hold" at the request of only a few Senators. I will deal shortly with the reasons Jim Hormel's nomination has been stalled. But let me take just a few moments to review the history of the nomination and some of the facts about the nominee and his background.

Last fall, following a hearing on his nomination, the Senate Foreign Relations Committee voted to approve Jim Hormel's nomination by a vote of 16 to 2 at a business meeting on November 4, 1997. In point of fact, for those who were not present at the business meeting, the nomination was deemed a routine matter, and was approved by a voice vote, along with the rest of the committee's agenda of nominations and legislation for that day. No Senator spoke in opposition to the nomination. It was only after the meeting that two Senators asked to be recorded against the nomination, as was their right, which resulted in the final tally. Still, 16 to 2 is a strong endorsement by the Committee on Foreign Relations.

The nomination was placed on the Executive Calendar, and, despite the fact that the Senate confirmed every other Foreign Relations Committee nominee before the close of the first session—some 50 nominees in total—Jim Hormel's nomination was left languishing because of "holds" placed on it by a few Senators.

That such a distinguished and qualified nominee would face opposition is, on its face, hard to understand. Let me tell you a little about the Jim Hormel I have known for some 20 years now. He is, first and foremost, a loving and devoted father of 5, and a grandfather of 13. His entire family has been unfailingly supportive of his nomination. Anyone who has met him or knows him knows that he is decent, patient, and a very gentle person.

His professional credentials are equally impressive. He is an accomplished businessman. He serves as chairman of the California investment firm, Equidex, and he serves as a member of the board of directors of the San Francisco Chamber of Commerce.

He has also spent time as a successful lawyer and educator. He received his J.D. from the University of Chicago, one of our Nation's finest law schools, and he later returned there to serve as dean and assistant dean of students from 1961 to 1967. In addition, he currently serves as a member of the board

of managers of his alma mater, Swarthmore College, another of our Nation's finest institutions of higher learning.

Jim Hormel has also been a remarkably generous philanthropist and dedicated community activist. He has supported a wide variety of causes and organizations, but there has always been a common theme: bringing people together, resolving conflict, helping those who are in need, and making the surrounding community a more pleasant place in which to live.

Even a sampling of the organizations he has supported is impressive in its breadth as well as its diversity. In addition to his support for Swarthmore and the University of Chicago, he has provided resources and assistance to the Virginia Institute of Autism, Breast Cancer Action, the American Foundation for AIDS Research, the American Indian College Fund, the United Negro College Fund, the NAACP, the Institute for International Education, the Human Rights Campaign Foundation, the Catholic Youth Organization, Jewish Family and Children's Services, the San Francisco Museum of Modern Art, the San Francisco Public Library, the San Francisco ballet, and the San Francisco symphony. Many of these organizations have honored him with awards.

Not surprisingly from such a community-minded individual, Jim Hormel has throughout his life also harbored a firm commitment to public service. The first example of this was his service in the U.S. Coast Guard, Active Reserve, from 1951 to 1957. Later, he established the James C. Hormel Public Service Program at the University of Chicago Law School to encourage law students to go into public service. As a consequence of his leadership in this area, he was recognized by his peers when he received the Public Service Citation from the University of Chicago Alumni Association.

His commitment to public service and his dedication to the cause of human rights ultimately came together when he was named as a member of the U.S. delegation to the 51st U.N. Human Rights Commission in Geneva in 1995. There, he helped the United States team press its case for improved human rights in nations as diverse as Cuba, China, and Iraq.

Finally, he was nominated in 1997 to serve as an alternate representative of the U.S. delegation to the 51st U.N. General Assembly. Now, this part of his biography is particularly ironic, in light of the situation we find ourselves in today, because this position is subject to Senate confirmation, and, indeed, on May 23, 1997, this same U.S. Senate unanimously confirmed Jim Hormel to represent this country at the United Nations.

So we have a well-qualified nominee for Ambassador. He has had a remarkable and distinguished career in several fields. He has demonstrated a lifelong commitment to public service. In re-

cent years he has gained firsthand experience in diplomacy as a representative of the United States. He was overwhelmingly approved by the Foreign Relations Committee, and most notably, he was confirmed by this very same U.S. Senate only 10 months ago.

I suspect most listeners—and most of my colleagues—would expect such a nomination to be quickly brought to a vote and confirmed. Yet, the majority leader has refused to call this nomination for an up-or-down vote, and a number of Senators on the other side of the aisle have placed “holds” on the nomination.

It seems clear to many of us why these Senators do not want to allow a vote on Jim Hormel's nomination: because Jim Hormel is gay. In a clear, unquestionable case of discrimination, these Senators refuse to let the full Senate vote for a qualified nominee because of his sexual orientation. This Senator does not believe that the Senate wants to be party to this kind of discrimination.

Jim Hormel is exactly the kind of person who should be encouraged to engage in public service. He is intelligent, civic minded, generous, and he is a person of proven accomplishment who wants to serve our country. So we need people like this in public service, and we cannot afford to drive them away because of their sexual orientation.

I think that is the point that was made well in a letter from the former Secretary of State, George Shultz, and Mrs. Shultz, when they wrote to the majority leader urging Jim Hormel's speedy approval, stating that they know him very well, and concluding with this:

We recommend him to you because we believe he would be a wonderful representative for our country. We hope that his nomination can be brought to the floor of the Senate for a vote as soon as possible.

I submit to you, Mr. President, that George Shultz, former Secretary of State, should know who would be a wonderful representative and who would not be a wonderful representative of our country.

So, as a matter of simple fairness, a qualified nominee with broad support, approved by the committee of jurisdiction, should at least be allowed a vote. If people have concerns, express them. Let's address them. But let's give the nominee a vote.

In this regard, I want to compliment the distinguished chairman, my chairman, of the Senate Judiciary Committee, Senator HATCH, for his thoughtful remarks on this subject when he appeared on NBC's Meet the Press on November 30, 1997. He said:

I get tired of that stuff. We ought to vote on him. And I personally believe he would pass, and he'd become the next ambassador to Luxembourg. I just don't believe in prejudice against any individual, regardless. And frankly, we have far too much of that.

I believe Senator HATCH is right on every point.

So I call on the majority leader, Mr. President, to schedule a vote on Jim Hormel's nomination. I call upon those who have holds to allow the nomination to reach the floor. If they wish, let's debate the qualifications. Let's debate any allegation about him, or against him. But it is wrong to simply prevent the Senate from speaking on this nomination.

I have seen news reports where some of the Senators who have “holds” on this nomination claim it is not because he is gay. They claim it is because of his views on certain issues involving gay rights, or something to that effect. The truth is I am not sure exactly what their objections are because they have been very reluctant to describe them publicly. I would certainly welcome the opportunity to meet privately with those Senators who are holding up the nomination to talk through their concerns.

Perhaps my colleagues who have holds are embarrassed in some way, or perhaps they feel their arguments are not strong enough to stand the light of day. I am hard pressed to come to any other conclusion because, apart from fleeting quotes in news articles and vague statements by spokespersons, the Senators opposed to Jim Hormel have done little to lay out their case against him. They are content to just quietly allow the Senate rules to prevent a vote.

That is not right, Mr. President. Around here, if a Senator takes a strong position on an issue, or a nomination, they have an obligation to their constituents, their colleagues, and the Senate itself, to explain themselves publicly. This is what the tradition of deliberative debate is all about.

So I challenge my colleagues who have “holds” on this nomination to come to this very floor, explain why they believe Jim Hormel is unfit to become an American Ambassador because he happens to be gay. Let other Senators and the American people judge on the merits of the argument.

From what I have read in news reports, I can anticipate that some of these Senators, if they choose to speak at all, will try to argue that this is not about Jim Hormel being gay—rather it is about his views on gay rights.

We may hear a lot of stories about books that appear in the San Francisco Public Library to which Jim Hormel generously donated half a million dollars. Are we to understand that donating funds to a library means you are responsible for every book in this library? Many of these same books are in the Library of Congress. Is the Senate responsible, because we fund that library, for the content of every book in that library? Of course not, Mr. President. You know that. I know that. This is a specious argument. This is designed to kill a nomination.

We may also hear stories about Jim Hormel's charitable giving, some of which has gone to organizations which support equal rights for gays and lesbians. Is equal rights a cause we in the

Senate do not support? And even if this issue is subject to some controversy in the Senate, do the Senators blocking this nomination know or care that Jim Hormel has, in writing, committed to limiting his charitable contributions to noncontroversial areas such as the performing arts, museums, educational institutions, humanitarian assistance and health care? He will not use his office to advocate or promote any personal view on any issue and will not engage or associate himself with any outside activities that conflict with his official duties and responsibilities. We have that in writing. This is the only time I know of any ambassadorial nominee who has actually put that in writing. I find it, in a way, very difficult to recognize that he has to do it. Nonetheless he has done it.

So the issue is a very simple one. We have a qualified nominee who was resoundingly approved by the Foreign Relations Committee. He is entitled to a vote, and I, as a U.S. Senator, am entitled to cast my vote for him.

Mr. President, I yield the floor.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1931

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the D'Amato amendment No. 1931.

Mr. SPECTER. Mr. President, I ask unanimous consent the pending amendment be set aside for consideration of an amendment I am about to submit.

The PRESIDING OFFICER. Is there objection?

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, may I suggest to the Senator, if he could offer it, it would be appropriate to offer the amendment that I believe the Senator intends to offer as it relates to providing for transportation needs of those who are seeking jobs outside of the inner cities. I think it is a well-crafted amendment and one that the Senator has worked on and has spoken to, and one that Senator SANTORUM has worked on and spoken to, and one that Senator CAROL MOSELEY-BRAUN has worked on and spoken to. We are willing to entertain that and support it. It would be added as an amendment to the existing amendment.

AMENDMENT NO. 1941 TO AMENDMENT NO. 1931

(Purpose: To make reverse commute project grants eligible for assistance under the job access grants program)

Mr. SPECTER. In that event, I send this amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. SANTORUM, and Ms. MOSELEY-BRAUN, proposes an amendment numbered 1941 to amendment No. 1931.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 55, strike line 12, and insert the following:

"SEC. 14. JOB ACCESS AND REVERSE COMMUTE GRANTS."

On page 56, line 13, strike "and".

On page 56, line 18, strike the period and insert "; and".

On page 56, between lines 18 and 19, insert the following:

"(9) many residents of cities and rural areas would like to take advantage of mass transit to gain access to suburban employment opportunities."

Beginning on page 57, strike line 9 and all that follows through page 58, line 4, and insert the following:

"(2) ELIGIBLE PROJECT AND RELATED TERMS.—

"(A) IN GENERAL.—The term 'eligible project' means and access to jobs project or a reverse commute project.

"(B) ACCESS TO JOBS PROJECT.—The term 'access to jobs project' means a project relating to the development of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, including—

"(i) capital projects and to finance operating costs of equipment, facilities, and associated capital maintenance items related to providing access to jobs under this section;

"(ii) promoting the use of transit by workers with nontraditional work schedules;

"(iii) promoting the use by appropriate agencies of transit vouchers for welfare recipients and eligible low-income individuals under specific terms and conditions developed by the Secretary; and

"(iv) promoting the use of employer-provided transportation including the transit pass benefit program under subsections (a) and (f) of section 132 of title 26.

"(C) REVERSE COMMUTE PROJECT.—The term 'reverse commute project' means a project related to the development of transportation services designed to transport residents of urban areas, urbanized areas, and areas other than urbanized areas to suburban employment opportunities, including any project to—

"(i) subsidize the costs associated with adding reverse commute bus, train, or van routes, or service from urban areas, urbanized areas, and areas other than urbanized areas, to suburban workplaces;

"(ii) subsidize the purchase or lease by a private employer, nonprofit organization, or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace;

"(iii) otherwise facilitate the provision of mass transportation services to suburban employment opportunities to residents of urban areas, urbanized areas, and areas other than urbanized areas."

On page 59, line 20, insert "access to jobs grants and reverse commute" before "grants".

On page 60, line 15, insert "in the case of an applicant seeking assistance to finance an access to jobs project," after "(2)".

On page 61, line 7, insert "in the case of an applicant seeking assistance to finance an access to jobs project," before "presents".

On page 61, line 13, strike "and".

On page 61, line 16, strike the period and insert "; and".

On page 61, between lines 16 and 17, insert the following:

"(8) in the case of an applicant seeking assistance to finance a reverse commute project, the need for additional services identified in a regional transportation plan to transport individuals to suburban employment opportunities, and the extent to which the proposed services will address those needs."

On page 62, strike lines 13 through 18, and insert the following:

"(2) COORDINATION.—Each application for a grant under this section shall reflect coordination with and the approval of affected transit grant recipients. The eligible access to jobs projects financed must be part of a coordinated public transit-human services transportation planning process."

On page 64, strike lines 1 through 4 and insert the following:

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, to remain available until expended, \$250,000,000 for each of fiscal years 1998 through 2003, of which—

"(A) \$150,000,000 in each fiscal year shall be used for grants for access to jobs projects; and

"(B) \$100,000,000 in each fiscal year shall be used for grants for reverse commute projects."

On page 8, line 16, strike "\$100,000,000" and insert "\$250,000,000".

On page 11, line 16, strike ", except" and all that follows through line 20 and insert a period.

Mr. SPECTER. Mr. President, this amendment works on reverse commute projects, which are designed to enable people to come from the inner city where there are no jobs available and to go to the suburbs where jobs are available. This is, in part, the reverse commute pilot project introduced by my distinguished colleague, Senator SANTORUM, and myself along with Senator LAUTENBERG in the "Mass Transit Amendments Act," S. 764. We think it is appropriate to include it on the ISTEA legislation at this time.

This program essentially responds to the growing need to provide access to suburban employment opportunities for residents of cities and rural areas who wish to continue living in their city or rural town and need mass transit to get to the jobs. This amendment will also increase from \$100 million to \$150 million the access-to-jobs, welfare-to-work provision already in ISTEA under the Banking Committee bill as introduced by the distinguished Senator from Illinois, Senator MOSELEY-BRAUN. My amendment establishes a new \$100 million annual authorization for reverse commute grants, bringing the total access-to-jobs/reverse commute program to \$250 million annually.

A week ago yesterday I visited a reverse commute project, the Schuylkill Valley Metro project, envisioned by SEPTA and BARTA. This rail line would run from the inner city of Philadelphia to Reading, through Montgomery County, through Philadelphia County, and into Berks County. It is an excellent illustration of what is necessary in order to take people from the